

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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May 23, 2023

BY ECF

Honorable Loretta Preska
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

**Re: United States v. Carlos Real,
11 Cr. 601 (LAP)**

Dear Judge Preska:

I write to request that the Court order the termination of Carlos Real's supervised release. Mr. Real, now 48 years old, has successfully completed over two-and-a-half years of supervised release with full compliance and full employment. Neither the Government nor Probation take any position on this application.

The Court may "terminate a term of supervised release and discharge the defendant released at any time after the expiration of one year of supervised release, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). To make this determination, the Court considers the §3553(a) factors to the extent they are applicable, but it does not consider punishment for the underlying offense. *Id.* (enumerating 18 U.S.C. §§ 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), (a)(6), and (a)(7), and specifically omitting § 3553(a)(2)(A) (punishment for the offense)).

Mr. Real was sentenced in 2012 to a term of 132 months' imprisonment and five years' supervised release after pleading guilty to violations of 21 U.S.C. §§ 841(b)(1)(B), 846 and 18 U.S.C. § 924(c)(1)(A)(i). He was moved to community confinement—first a halfway house, then home confinement—in January 2020. After 10 months of community confinement, Mr. Real transitioned to supervised release on October 13, 2020. He has now been on supervised release for more than two years and seven months and in the community for approximately three years and four months.

Mr. Real's supervised release is terminated effective immediately. He is to be congratulated for his employment and taking care of his mother.

May 24, 2023

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE